

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE STATE OF OHIO, et al.,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, et al.,

Case No. 2:15-cv-2467  
CHIEF JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Norah McCann King

Defendants.

**ORDER**

On February 22, 2016, a panel of the United States Court of Appeals for the Sixth Circuit ruled that the Sixth Circuit has exclusive jurisdiction to review challenges to the Clean Water Rule, 80 Fed. Reg. 37,054 (June 29, 2015). (*See* ECF No. 48-1.) And on April 21, 2016, the Sixth Circuit denied the pending petitions for rehearing en banc. (*See* ECF No. 53-1.) In light of the Sixth Circuit's February 22 decision, this Court lacks jurisdiction over this case. Accordingly, Defendants' Motion to Dismiss (ECF No. 50) is **GRANTED**, and this action is **DISMISSED**.

The parties may move to reopen this case if the circumstances surrounding the Court's jurisdiction change.

**IT IS SO ORDERED.**

4-25-2016  
DATE

  
EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE